

Senator Martin, who would have voted, "yea," was paired off with Senator Crain, who would have voted, "nay."

Senator Storey, who would have voted, "nay," was paired off with Senator Hobby, who would have voted, "yea."

Senator Burton moved to strike out, "\$5,000," in the committee's twelfth amendment and insert, "\$2,000."

On motion of Senator McLeary, the Senate adjourned until to-morrow at 8:30 A. M.

NINETY-FIRST DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, August 3, 1876. }

Senate met pursuant to adjournment. President *pro tem.* in the chair. Roll called. No quorum present.

On motion of Senator Ball, the Senate adjourned until 9 o'clock, A. M.

Senate met pursuant to adjournment. President in the chair. Roll called. Quorum present. Prayer by the Chaplain.

Journal of yesterday adopted.

Senator McLeary presented the petition of many citizens living in that part of Bexar county intended to be cut off into the proposed new county of Granbury, "protesting against being detached from Bexar county and placed in the proposed new county, because it suits their business transactions and general convenience better to remain in their present county of Bexar."

Referred to Committee on Counties and County Boundaries.

Senator Crain presented the petition of many citizens of that portion of Bexar county proposed to be cut off into the new county of Granbury, and who had formerly signed a protest against the formation of said new county, "stating that they revoked their endorsement of said protest, and request the formation of said new county."

Referred to Committee on Counties and County Boundaries.

Senator Ledbetter, Chairman of Committee on Counties and County Boundaries, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Counties and County Boundaries, to whom was referred House Bill No. 394, entitled, "An Act to create the county of Granbury," have had the same under consideration, and a majority of the committee instruct me to report the same back to the Senate and recommend that it do not pass.

LEDBETTER, *Chairman.*

House Bill No. 412, entitled, "An Act to make an appropriation to supply deficiencies," etc., being the unfinished business, was taken up.

Senator Burton withdrew his amendment pending on adjournment yesterday, and presented the following:

Amend by striking out, "five thousand," and inserting, "twenty-five hundred."

Senator J. R. Henry offered the following amendment as a substitute for Senator Burton's amendment:

Strike out, "\$5,000," and insert, "\$3,000."

Lost by the following vote:

YEAS—Senators Blassingame, Burton, Francis, Martin, McCulloch, Wortham—6.

NAYS—Senators Ball, Brady, Crain, Edwards, Ford, Grace, Guy, Henry J. R., Ledbetter, McLeary, McCormick, Moore, Piner, Smith, Thompson—15.

NOT VOTING—Senators Brown, Henry F. M., Stephens, Terrell—4.

Senator Storey was paired off with Senator Hobby.

Senator Moore offered the following amendment:

Strike out, "\$5,000," and insert, "\$4,000."

Lost by the following vote:

YEAS—Senators Blasingame, Burton, Francis, Henry J. R., Henry F. M., Martin, McCulloch, Moore—8.

NAYS—Senators Ball, Brady, Crain, Edwards, Ford, Grace, Guy, Ledbetter, McLeary, McCormick, Piner, Thompson, Wortham—13.

NOT VOTING—Senators Brown, Smith, Stephens, Storey, Terrell—5.

Senator Storey was paired off with Senator Hobby.

Senator Martin offered the following amendment:

Strike out, "\$5,000," and insert, "\$3,500."

Senator Piner moved the previous question on the amendment of Senator Martin to the amendment of the committee, and the amendment of the committee.

Seconded, and the main question ordered.

Senator Martin's amendment lost by the following vote:

YEAS—Senators Blasingame, Burton, Francis, Grace, Henry J. R., Henry F. M., Martin, McCulloch, Moore, Stephens, Wortham—11.

NAYS—Senators Ball, Brady, Brown, Crain, Edwards, Ford, Guy, Ledbetter, McLeary, McCormick, Piner, Smith, Terrell, Thompson—14.

NOT VOTING—Senator Storey, who was paired off with Senator Hobby.

The President, after publicly reading its caption, signed House Bill No. 72, entitled, "An Act to provide for and regulate mechanics', contractors' and builders', and other liens, in the State of Texas."

Senator Smith in the chair.

The twelfth amendment of the committee, to pay J. W. Harris \$5,000 for services in representing the State in the International case, was adopted by the following vote:

YEAS—Senators Ball, Brady, Brown, Crain, Edwards, Ford, Guy, Ledbetter, McLeary, McCormick, Piner, Smith, Stephens, Terrell, Thompson—15.

NAYS—Senators Blasingame, Burton, Francis, Grace, Henry J. R., Henry F. M., Martin, Moore, Wortham—9.

NOT VOTING—Senators McCulloch, Storey—2.

Senator Storey was paired off with Senator Hobby.

The thirteenth amendment of the committee, to pay Shelley and Walton, attorneys' fees, \$2,500.

Adopted.

Senator Storey offered the following amendment:

After line 25 insert: "To F. Voigt, to be used only for watering plants and shrubbery in the Capitol grounds, \$100.00."

Adopted.

Senator Crain offered the following amendment:

Amend by inserting after line 33: "For amount due W. N. Weisiger, Sheriff of De Witt county, for sending a deputy to Brownsville and Matamoros to secure the extradition of Dr. Haros, a fugitive from justice, \$250.00."

Lost by the following vote:

YEAS—Senators Ball, Brady, Burton, Crain, Edwards, Ford, Ledbetter, McLeary, McCormick, Smith, Stephens—11.

NAYS—Senators Blassingame, Brown, Francis, Grace, Guy, Henry J. R., Henry F. M., Martin, McCulloch, Moore, Storey, Terrell, Thompson, Wortham—14.

NOT VOTING—Senator Piner—1.

Senator McLeary offered the following amendment:

In Section 1, after line 22, insert: "For E. H. Stephens, Deputy Sheriff of Bexar county, for expenses incurred in bringing taxes to the Treasury, \$121.00."

Adopted.

Senator Grace offered the following amendment:

Amend by inserting: "The claim or account of R. C. Harrell, now owned by C. W. T. Wilden. Said claim is for pursuing criminal to Tennessee, capturing and returning him to jail in Bonham, Fannin county, Texas, \$404.25."

Adopted.

On motion of Senator Blassingame, the vote by which the amendment of Senator Crain was lost was reconsidered, and said amendment then adopted, by the following vote:

YEAS—Senators Ball, Blassingame, Brown, Burton, Crain, Edwards, Ford, Henry J. R., Ledbetter, McLeary, McCormick, McCulloch, Moore, Piner, Smith, Stephens, Storey, Thompson—18.

NAYS—Senators Francis, Henry F. M., Martin, Wortham—4.

NOT VOTING—Senators Brady, Grace, Guy, Terrell—4.

Senator McLeary offered the following amendment:

"For the expenses of C. H. Frick, ex-Sheriff of Bandera county, in conveying A. C. Edwards from Bandera to the Lunatic Asylum at Austin, \$91.00."

Lost.

Senator Ford offered the following amendment:

Under heading of "General Land Office," and after line 18, insert the following:

"For vault for preservation of the Spanish archives, \$300.00.

"For transcribing indices, \$1200.00."

Adopted.

Senator McLeary offered the following:

Insert after line 51: "For the rent of school-houses prior to the 18th day of April, 1876, to be paid on vouchers approved by the Board of Education, \$10,000."

Lost, by the following vote:

YEAS—Senators Brown, Edwards, Ford, Guy, McLeary—5.

NAYS—Senators Ball, Blassingame, Brady, Francis, Grace, Henry J. R., Henry F. M., Ledbetter, Martin, McCormick, McCulloch, Piner, Smith, Storey, Terrell, Thompson, Wortham—17.

NOT VOTING—Senators Burton, Crain, Moore, Stephens—4.

Senator Storey offered the following amendment:

After line 37 insert: "A. A. Ellison, Sheriff of Caldwell county, for actual expenses in conveying two witnesses (attached by order of the District Court of Collin county in a murder case) from Caldwell county to Collin county—two trips, \$150.00."

Adopted.

Senator J. R. Henry offered the following amendment:

After line 39 insert, "For John H. Loftlin, for assessing State tax in Beat No. 1, in Limestone county, Texas, \$220.00."

Adopted.

Senator Ball offered the following amendment:

Strike out all after, "1873," in line 44, to and inclusive of the word, "fund," in line 45.

Adopted.

Senator Piner offered the following amendment:

Amend Section 2, line 2, by inserting after the word, "Texas," the words, "and other creditors of the State."

Adopted.

Senator Edwards offered the following amendment:

In Section 1, line 39, add: "For amount due C. Johnson for masonry on Capitol Grounds, to be paid on account, approved by the Governor, Comptroller of Public Accounts and Superintendent of Public Grounds, \$2,196.75; to payment of workmen on Capitol Grounds, other than C. Johnson, to be paid out on accounts, approved by the Governor, Comptroller of Public Accounts and Superintendent of Public Grounds, \$1,585.16."

Adopted.

Senator Edwards moved to reconsider the vote adopting Senator Ball's amendment.

Senator Stephens in the chair.

Senator Edwards offered the following amendment:

Add to line 48: "Not appropriated to the annual support of public free schools."

Senator McLeary offered the following substitute for Senator Edwards' amendment:

Strike out the words, "to be paid out of the available school fund," wherever they occur in the bill.

Adopted.

Senator Crain moved a call of the Senate.

Call sustained.

Roll called.

ABSENT—Senators Brady, Burton, Ford, Grace—4.

On motion of Senator Ball, the call was suspended.

Senator Edwards' amendment, as substituted by Senator McLeary's amendment, was lost by the following vote:

YEAS—Senators Ball, Brady, Crain, Ledbetter, McLeary, Stephens, Storey, Terrell, Thompson—9.

NAYS—Senators Blassingame, Brown, Edwards, Francis, Grace, Guy, Henry J. R., Henry F. M., Martin, McCormick, McCulloch, Moore, Piner, Wortham—14.

NOT VOTING—Senators Burton, Ford, Smith—3.

President in the chair.

Senator Martin moved to reconsider the vote by which the last amendment was lost, and moved a call of the Senate on his motion.

Call sustained.

Roll called.

ABSENT—Senators Brady, Burton, Ford, Smith, Terrell—5.

Senator Edwards moved the previous question on the pending motion to reconsider Senator Ball's amendment.

Seconded.

Main question ordered.

Senator Edwards' motion to reconsider Senator Ball's amendment was lost by the following vote:

YEAS—Senators Blassingame, Brown, Francis, Grace, Guy, Henry J. R., McCormick, McCulloch, Piner—9.

NAYS—Senators Ball, Burton, Crain, Henry F. M., Ledbetter, Martin, McLeary, Moore, Smith, Stephens, Storey, Terrell, Thompson, Wortham—14.

NOT VOTING—Senators Brady, Edwards, Ford—3.

Senator Martin moved to adjourn until 4 o'clock this evening.

Carried, by the following vote:

YEAS—Senators Ball, Blassingame, Burton, Crain, Francis, Grace, Henry J. R., Henry F. M., Martin, Moore, Piner, Stephens, Storey, Terrell, Thompson—15.

NAYS—Senators Brown, Edwards, Ford, Guy, Ledbetter, McLeary, McCormick, McCulloch, Smith, Thompson—10.

NOT VOTING—Senator Brady.

AFTERNOON SESSION.

Senate met pursuant to adjournment. President in the chair. Roll called Quorum present.

The message of His Excellency, the Governor, of yesterday, on motion of Senator Stephens, was taken up and read:

EXECUTIVE OFFICE, STATE OF TEXAS, }
AUSTIN, August 2, 1876. }

Hon. R. B. Hubbard, President of the Senate:

SIR—I have the honor to return Senate Bill No. 188½, being "An Act to provide for supplying lost records in certain cases," without my approval, and respectfully ask its reconsideration.

This bill authorizes the County Commissioners' Court, when the records of a county have been burned, lost or destroyed, and a private abstract can be purchased, to buy the same and issue twenty year bonds, bearing ten per cent. interest, in payment, and makes the contents of this abstract, when verified by the oath of the person who made it, *prima facie* proof, or, in other words, places transcripts, duly certified from this abstract, on the same footing with transcripts from the ordinary records of the county. So far as the bill affects the rules as established and well understood, with reference to secondary evidence of lost records, it is believed to introduce a most dangerous innovation, in that it deprives a party against whom a *prima facie* case is thus made out, of the valuable right of cross-examination. It can be well seen that much trouble and unsettlement of titles to valuable property might arise under the operation of this bill, should it become law. There would be a wide door opened under it for the promotion of private and individual interests, by the perpetration of frauds, besides much injury that might result from imperfect abstracts made for private use, with no sense of official responsibility on the maker.

The provision to pay for such abstracts, with bonds bearing ten per cent. interest, contravenes a policy which has been rigidly adhered to in all my official actions, the reasons for which have been given so often that they will not be repeated here, but which have been uniformly sustained in this and the Fourteenth Legislatures, and are believed to be fully endorsed by the people of Texas.

Apart from all this, however, there is an insuperable constitutional objection to be found to this bill in Section 7, Article 11, of the Constitution, which provides: "But no debt for any purpose shall ever be incurred in any manner, by any city or county, unless provision is made at the time of creating the same for levying and collecting a sufficient tax to pay the interest thereon, and provide at least two (2) per cent. as a sinking fund."

No such provision is made in this bill. The provision which is made is an entirely different one and is subject to contingencies, and is not the assured one which the Constitution imperatively fixes.

The section of the Constitution referred to is a little obscure, seeming in some portions of it to refer only to counties and cities bordering on the Gulf of Mexico; but the portion quoted seems broad enough, apparently, to embrace all the counties. Not being clear as to whether other than coast counties are embraced, I express no opinion on that point, contenting myself with the remark that if that section is not applicable, there is no authority that I can find in the Constitution for the issuance of bonds at all by counties, the provisions of that instrument clearly implying a negative of the power. Very respectfully,

RICHARD COKE.

On motion of Senator Piner, the message and bill were referred to Judiciary Committee No. 2.

On motion of Senator Ledbetter the rules were suspended, the unfinished business postponed, and Senate Bill No. 373, "An Act regulating proceedings in the County Courts pertaining to the estates of deceased persons," was taken up.

Senator Grace moved to suspend the rules requiring the reading of the bill *extenso*.

Carried by the following vote:

YEAS—Senators Ball, Blassingame, Brown, Burton, Edwards Francis, Ford, Grace, Guy, Henry J. R., Ledbetter, Martin, McLeary, McCormick, McCulloch, Moore, Piner, Stephens, Storey, Thompson, Wortham—21.

NAYS—None.

NOT VOTING—Senators Brady, Crain, Henry F. M., Smith, Terrell—5.
Bill read by caption second time and ordered engrossed.

Senator Ledbetter moved to suspend the rules and place it on its third reading.

Carried by the following vote:

YEAS—Senators Ball, Blassingame, Brown, Burton, Edwards, Francis, Ford, Grace, Guy, Henry J. R., Henry F. M., Ledbetter, Martin, McLeary, McCormick, McCulloch, Moore, Piner, Stephens, Storey, Thompson, Wortham—22.

NAYS—None.

NOT VOTING—Senators Brady, Crain, Smith, Terrell—4.

Bill read third time and passed by the following vote:

YEAS—Senators Ball, Blassingame, Burton, Edwards, Francis, Ford, Grace, Guy, Henry J. R., Henry F. M., Ledbetter, Martin, McLeary, McCormick, McCulloch, Moore, Piner, Stephens, Storey, Thompson, Wortham—21.

NAYS—None.

NOT VOTING—Senators Brady, Brown, Crain, Smith, Terrell—5.

House Bill No. 412, "An Act making appropriations for deficiencies

for the fiscal year beginning September 1, 1875, and ending August 31, 1876, and previous years," being the pending business, was taken up and its consideration resumed.

The pending motion of Senator Martin, to reconsider the vote by which Senator Edwards' amendment, as substituted, was lost, was taken up.

Senator Martin moved a call of the Senate.

Call sustained.

Roll called.

ABSENT—Senators Crain, Smith—2.

Pending the call the bill went to the table.

Senator Storey introduced a bill to be entitled, "An Act to amend Section 8 of 'An Act to regulate the appointment, and define the duties of Notaries Public,'" approved June 24, 1876.

Read by caption, and referred to Judiciary Committee No. 1.

Senator Guy offered the following resolution:

WHEREAS, The company known as the "Capital Ice Company," has temporarily suspended operations; and

WHEREAS, The Sergeant-at-Arms cannot procure ice at the price fixed in a resolution now in force in this body; and

WHEREAS, An emergency and great public necessity exists for the immediate purchase of ice for the use of members of the Senate; therefore, be it

Resolved, That the Sergeant-at-Arms be, and he is hereby required to purchase a sufficient quantity of ice for the daily use of this body, at the lowest figures at which the same can be procured, until such time as the said "Capital Ice Company" shall resume operations.

Resolution was read and adopted.

On motion of Senator McLeary, the call was suspended, and the Senate resumed the consideration of House Bill No. 412.

Senator Stephens, Chairman of the Committee on Engrossed Bills, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Engrossed Bills have carefully examined, compared and found correctly engrossed, Senate Bill No. 364, "An Act to provide for the prosecution of appeals and writs of error from certain civil causes decided in the District Courts of the State."

STEPHENS, *Chairman.*

Senator Martin's motion to reconsider the vote by which Senator Edwards' amendment, as substituted, was lost, was then carried by the following vote:

YEAS—Senators Ball, Blassingame, Brady, Burton, Ford, Grace, Henry J. R., Ledbetter, Martin, McLeary, McCulloch, Moore, Piner, Stephens, Storey, Terrell, Thompson—17.

NAYS—Senators Brown, Edwards, Francis, Guy, Henry F. M., McCormick, Wortham—7.

The amendment reconsidered was then adopted by the following vote:

YEAS—Senators Ball, Blassingame, Brady, Burton, Ford, Grace, Henry J. R., Ledbetter, Martin, McLeary, McCulloch, Moore, Piner, Stephens, Storey, Terrell, Thompson—17.

NAYS—Senators Brown, Edwards, Francis, Guy, Henry F. M., McCormick, Wortham—7.

NOT VOTING—Senators Crain, Smith—2.

Senator Edwards offered the following amendment:

Add to Section 1, the words, "That the warrants drawn in pursuance of an act in favor of Supervisors and for services of Superintendents and Directors of public free schools, shall draw interest at the rate of eight per cent. per annum, and these, together with the warrants issued under this act in favor of public free school teachers, shall be postponed in their order of payment to all other warrants drawn against the general revenue."

Lost by the following vote:

YEAS—Senators Brown, Edwards, Francis, Henry J. R., Ledbetter, Terrell—6.

NAYS—Senators Ball, Blassingame, Brady, Ford, Grace, Guy, Henry F. M., Martin, McLeary, McCormick, McCulloch, Moore, Piner, Smith, Stephens, Storey, Thompson, Wortham—18.

NOT VOTING—Senators Burton, Crain—2.

Senator Terrell offered the following amendment:

Amend Section 1 by striking out all under the head, "School Department," commencing with line 40 and ending with line 51.

Adopted by the following vote:

YEAS—Senators Blassingame, Brown, Edwards, Francis, Ford, Grace, Henry J. R., Henry F. M., Ledbetter, Martin, McLeary, McCulloch, Moore, Piner, Terrell, Thompson—16.

NAYS—Senators Brady, Guy, McCormick, Smith, Stephens, Storey, Wortham—7.

NOT VOTING—Senators Ball, Burton, Crain—3.

Senator Piner, by leave, introduced a bill, entitled, "An Act to provide for supplying lost records in certain cases."

Read by caption and referred to Judiciary Committee No. 2.

House Bill No. 412 was then passed to a third reading.

Senator Storey moved to suspend the rules and place the bill on its third reading.

Carried by the following vote:

YEAS—Senators Blassingame, Brown, Edwards, Francis, Ford, Grace, Guy, Henry J. R., Henry F. M., Ledbetter, Martin, McLeary, McCormick, McCulloch, Moore, Piner, Smith, Stephens, Storey, Terrell, Thompson, Wortham—22.

NAYS—Senator Brady—1.

NOT VOTING—Senators Ball, Burton, Crain—3.

Bill read third time, and passed by the following vote:

YEAS—Senators Blassingame, Brown, Edwards, Francis, Ford, Grace, Guy, Henry J. R., Ledbetter, Martin, McLeary, McCormick, McCulloch, Moore, Piner, Smith, Stephens, Storey, Terrell, Thompson, Wortham—21.

NAYS—Senators Brady, Henry F. M.—2.

NOT VOTING—Senators Ball, Burton, Crain—3.

Senator McLeary moved to reconsider the vote just taken, passing House Bill No. 412, and to lay that motion on the table.

Carried.

Senator Storey, Chairman of Committee on Finance, by leave, submitted the following report:

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Finance have had under consideration House Bill No. 263, "An Act to levy a tax on dogs, and provide for the assessment and collection of the same," and I am instructed by the committee to return the bill to the Senate, with amendments, and recommend that the same, as amended, do pass.

STOREY, *Chairman.*

In Section 1, line 6, strike out all after the word, "dog," down to the word, "to," in line 11.

In Section 2, line 4, strike out the words, "and bitch."

In Section 3, line 2, strike out the words, "or bitch," wherever they occur in the bill.

Amend the caption by inserting before, "dogs," in line 1, the words, "or the privilege, or keeping or harboring."

Senator Ford offered the following resolution:

Resolved, That the Committee on Finance are hereby instructed to ascertain the outstanding indebtedness of the State of Texas, accruing previous to the adoption of the present Constitution; and to report a plan, by bill, providing for the issuance and sale of a sufficient sum in the bonds of the State to pay claims due to school teachers, policemen, and other creditors of the State.

Adopted.

House Bill No. 24, "An Act defining what money and property is subject to taxation or exemption, and the mode of listing the same," being the unfinished special order, was taken up.

Senator Edwards offered the following amendment:

In Section 4, lines 23, 24 and 25, strike out all, including the words, "the term," in line 23, down to, and including, the words, "selling price," in line 25, and insert the following: "The term, 'true and full value,' whenever used in this act or any other act regulating the assessment and collection of taxes, shall be held to mean the 'fair market value in cash.'"

Adopted, by the following vote:

YEAS—Senators Brady, Brown, Burton, Crain, Edwards, Francis, Ford, Grace, Henry J. R., Henry F. M., McLeary, McCormick, McCulloch, Piner, Terrell—15.

NAYS—Senators Blassingame, Guy, Ledbetter, Moore, Smith, Storey, Wortham—7.

NOT VOTING—Senators Ball, Martin, Stephens, Thompson—4.

Senator Brady offered the following amendment:

After the word, "buildings," in Section 18, line 13, insert the words, "machinery and tools therein."

Adopted.

Senator Ledbetter offered the following amendment:

In Section 3, line 9, after the word, "indebtedness," insert the words, "provided, that notes that are taken for land shall not be taxed."

Adopted.

Senator Ford offered the following amendment:

Add to Section 21: "All statements or lists made under this act by corporations, that are required to be sworn to, shall be verified by the affidavit and signature of the Secretary of said corporation, and if they have no Secretary, the officer who discharges the duty of Secretary of said corporation."

Adopted.

Senator Edwards offered the following as an additional section :

"SEC. 25. Any person, firm or corporation, controlling property not situated in the county where said person or firm resides, or such corporation has its principal office, may make out a list of the property situated in any such county, and make oath to the same, before any officer authorized to take acknowledgments of deeds for record, in or out of this State, and may mail the same to the Assessor of the county where said property is situated; and it shall be the duty of the Assessor to enter the same on his assessment rolls as provided in the laws regulating duties of Assessors."

Lost by the following vote (it requiring a two-thirds vote):

YEAS—Senators Brown, Crain, Edwards, Grace, Henry J. R., Henry F. M., Ledbetter, McLeary, McCormick, McCulloch, Moore, Storey, Wortham—13.

NAYS—Senators Blassingame, Burton, Francis, Ford, Martin, Piner, Smith, Terrell, Thompson—9.

NOT VOTING—Senators Ball, Brady, Guy, Stephens—4.

Senator Martin offered the following amendment:

Add to Section 24: "*Provided*, that pensions granted under the act of the present Legislature to the surviving soldiers and volunteers of the Texas Revolution and the surviving signers of the Declaration of Texas Independence, and the surviving widows of such soldiers, signers and volunteers, shall not be taxed."

YEAS—Senators Crain, Edwards, Francis, Ford, Grace, Guy, Henry F. M., Ledbetter, Martin, McLeary, McCormick, McCulloch, Moore, Piner, Smith, Terrell, Thompson, Wortham—18.

NAYS—Senators Blassingame, Brown, Burton, Henry J. R., Storey—5.

NOT VOTING—Senators Ball, Brady, Stephens—3.

Senator Storey moved the previous question on the passage of the bill, which was seconded, and the main question ordered.

The bill then passed by the following vote:

YEAS—Senators Blassingame, Brown, Crain, Ford, Grace, Guy, Ledbetter, Martin, McLeary, McCulloch, Moore, Piner, Smith, Storey, Terrell, Wortham—16.

NAYS—Senators Brady, Burton, Edwards, Francis, Henry J. R., Henry F. M., McCormick, Thompson—8.

NOT VOTING—Senators Ball, Stephens—2.

On motion of Senator Brown, the Senate adjourned until to-morrow morning at 9 o'clock.

NINETY-SECOND DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, August 4, 1876. }

Senate met pursuant to adjournment, President in the chair. Roll called. Quorum present. Prayer by the Chaplain.

Journal of yesterday adopted.

Senator Francis, who, in the journal of yesterday, was recorded as voting, "nay," on Senator Martin's amendment, "to exempt from taxation the pensions granted by the present Legislature," should have been, "yea."

Two typographical errors occurred in the amendments offered by Senator McLeary on yesterday, to House Bill No. 412, "The deficiency